IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 636 OF 2003

MR. AGNELO MASCARENHAS AND ANR., ... Petitioners
Versus
DIRECTOR OF PANCHAYAT AND 3 ORS., ... Respondents

Mr. J.E. Coelho Pereira, Senior Advocate with Mr. V. Korgaonkar, Advocate for the Petitioners.
Mr. G. Shirodkar, Addl. Govt. advocate for Respodnent No.1 and 2.
Mr. P. Rao, Advocate for Respondent No.4.

Coram:- N. A. BRITTO, J.

Date:- 30th October, 2007

ORAL ORDER:

Heard Shri Coelho Pereira, the learned Senior Counsel on behalf of the Petitioners, Shri Shirodkar, the learned Addl. Govt. Advocate on behalf of Respondents No.1 & 2 and Shri Rao on behalf of Respondent No.4.

The Petitioners and Respondent No.4 have filed consent terms. The same are accepted. The consent terms be placed on record and mark 'X' for identification. The Writ Petition shall be disposed off in terms of the said consent terms filed on behalf of the aforesaid parties. However, it is made clear that Respondent No.1-Director of Panchayat while considering the request of Respondent No.4 and the Petitioners in withdrawing Panchayat Appeal No. 203/2000, 187/2000 respectively shall consider on merits whether in the light of the terms filed by the parties any of the provisions of the Panchayat Raj Act or the Building Rules are contravened or not. In case there is no contravention, Respondent No.1 will be at liberty to allow the said Respondent No.4 and the Petitioners to withdraw the said appeal and, accordingly, modify the orders.

Petition disposed off on the above terms.

N. A. BRITTO, J.

NH